

## Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 COA-02 EB-11 OIC-04 CIAE-00

DODE-00 PM-07 H-03 INR-10 NSAE-00 NSC-10 PA-03 RSC-01

PRS-01 SS-15 USIA-15 ACDA-19 AEC-11 AGR-20 CG-00

COME-00 DOTE-00 FMC-04 INT-08 JUSE-00 NSF-04 OMB-01

TRSE-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10 SCI-06 CEQ-02

RSR-01 /247 W

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R 101618Z AUG 73

FM USMISSION GENEVA

TO SECSTATE WASHDC 1114

INFO USMISSION USUN NY

UNCLAS GENEVA 4282

E.O. 11652: N/A

TAGS: PBOR, UN

SUBJ: LOS: DRAFT GROUP, WG 3, SUBCOMMITTEE III

SCIENTIFIC RESEARCH (SR), AUGUST 9

1. INFORMAL DRAFTING GROUP OF WG3, SCIII ON SCIENTIFIC RESEARCH (SR) COMPLETED WORK ON UNTITLED ITEM 1.2 (FORMERLY: RIGHT TO UNDERTAKE MARINE SR WITHIN NATIONAL JURISDICTION (NJ) AND INTERNATIONAL AREA). GROUP WAS UNABLE TO CREATE SINGLE TEXT WHEN BRAZIL AND OTHERS REJECTED COMPROMISE FORMULA AND SUBMITTED UNBALANCED AMENDMENT AS ALTERNATIVE TEXT. WHEN ATTEMPTS TO COMPROMISE FAILED, US, FOLLOWING BY SOVS AND TANZANIA, REINTRODUCED ORIGINAL ARTICLES AS ALTERNATIVES.

2. FIVE ALTERNATIVE TEXTS AND FOUR FOOTNOTES COVER ITEM 1.2. THESE ALTERNATIVES ARE:

A.1.(UN-NAMED COMPROMISE). SUBJECT TO RIGHTS OF COASTAL STATES (CS) AS PROVIDED FOR IN THIS CONVENTION, STATES,  
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IRRESPECTIVE OF GEOGRAPHIC LOCATION, AS WELL AS APPROPRIATE

INTERNATIONAL ORGANIZATIONS (IO) HAVE THE RIGHT  
BEGIN BRACKET OR THE RIGHT OF FREEDOM END BRACKET TO CONDUCT MARINE SR

AND OTHER RESEARCH ACTIVITIES IN THE MARINE ENVIRONMENT (ME).

A.2. STATES SHALL PROMOTE COOPERATIVE MARINE SR  
TAKING INTO PARTICULAR CONSIDERATION INTERESTS AND NEEDS OF LDCS.

B. (ORIGINALLY BRAZIL, ECUADOR, TANZANIA, YUGOSLAVIA,  
PERU, T&T AND ARGENTINA). SUBJECT TO RIGHTS OF CS, ALL STATES,  
WHETHER COASTAL OR LANDLOCKED (L/L) SHALL COOPERATE IN PROMOTION  
OF SR AND INVESTIGATION IN ME, AS PROVIDED FOR IN THIS CONVENTION,  
IN ORDERLY AND RATIONAL MANNER, TAKING INTO ACCOUNT THE INTERESTS  
OF INTERNATIONAL COMMUNITY, PARTICULARLY INTERESTS AND NEEDS OF  
LDCS.

C. (US) ART. 1 OF US DRAFT ARTICLES (L.44).

D. (KENYA/TANZANIA). SUBJECT TO RIGHTS OF CS ALL STATES  
AS WELL AS COMPETENT IO SHALL PROMOTE AND MAY CONDUCT SR IN ME  
TAKING INTO ACCOUNT ALL RELEVANT FACTORS INCLUDING INTERESTS OF  
INTERNATIONAL COMMUNITY, PARTICULARLY THOSE OF LDC.

E. (SOV) ART. 2 OF EE DRAFT ARTICLES (L.31).

3. FOOTNOTES ARE AS FOLLOWS:

(A) AUSTRALIA TO ALTERNATIVE A. ADD "AND OF INTERNATIONAL  
AUTHORITY" AFTER "SUBJECT TO RIGHTS OF COASTAL STATES." THIS  
WAS DESCRIBED AS SUPERFLUOUS BY FRANCE AND SOVS AND SUPPORTED BY  
MALTA.

(B) MALTA TO ALTERNATIVE A. "A VIEW WAS EXPRESSED THAT THIS  
DRAFT ARTICLE SHOULD HAVE INCLUDED A REFERENCE TO PHYSICAL  
AND JURIDICAL PERSONS AS ALSO HAVING RIGHT TO CONDUCT SR IN ME."

(C) UK TO ALTERNATIVES A AND B. "SOME DELEGATIONS  
EXPRESSED VIEW THAT A AND B ARE NOT ALTERNATIVES, BUT  
COMPLEMENTARY."

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(D) BRAZIL TO A AND B. "SOME DELEGATIONS EXPRESSED VIEW  
A AND B ARE REAL ALTERNATIVES."

(E) TANZANIA TO ALTERNATIVE A. "SOME DELEGATIONS  
EXPRESSED VIEW THAT 'RIGHT OF FREEDOM' IS SUPERFLUOUS AND  
SHOULD NOT APPEAR".

4. BRAZIL REJECTED US OFFERS OF COMPROMISE OF INSERTING

ALTERNATIVE B AS PARA 2 TO ALTERNATIVE A, OR CHANGING "INTERESTS  
OF INTERNATIONAL COMMUNITY" TO "RIGHTS OF."

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Copy:** SINGLE  
**Draft Date:** 10 AUG 1973  
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**Disposition Event:**  
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**Disposition Reason:**  
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**Subject:** LOS: DRAFT GROUP, WG 3, SUBCOMMITTEE III SCIENTIFIC RESEARCH (SR), AUGUST 9  
**TAGS:** PBOR, UN  
**To:** STATE  
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